

The Cadre Law Firm  
400 Sylvan Avenue  
Englewood Cliffs, NJ 07632  
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Jill Cadre, Esq. #JC-4127  
Attorney for Debtors,  
LUIS A. ECHEVARRIA, JR. AND  
ELSIE JIMENEZ ECHEVARRIA

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In Re:

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

LUIS A. ECHEVARRIA, JR. AND  
ELSIE JIMENEZ ECHEVARRIA

CASE NO.: 13-26917-VFP

Debtors.

CHAPTER 7

NOTICE OF MOTION TO REOPEN,  
REINSTATE DEBTORS' CHAPTER 13  
PROCEEDING AND REINSTATE THE  
AUTOMATIC STAY

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HEARING DATE: NOVEMBER 16, 2017  
Time: 11:00AM

The Debtor has filed papers with the Court for an Order to Reopen and Reinstate the Chapter 13 Proceeding and to Reinstate the Automatic Stay and for other such relief as the Court may deem appropriate.

**Your rights may be affected.** You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to reinstate the Chapter 7 Proceeding and to reinstate the automatic stay, or if you want the Court to consider your view on the motion, then prior to the scheduled hearing you or your attorney must: File with the Court a written response for a hearing (or, if the Court requires a written response, an answer, explaining your position) at:

United States Bankruptcy Court  
P.O. Box 1352  
Newark, NJ 07101-1352

If you mail your response to the Court for filing, you must mail it early enough so the Court will receive in, on, or before the date stated above.

You must also mail a copy to:

The Cadre Law Firm  
400 Sylvan Avenue  
Englewood Cliffs, NJ 07632

Joseph J. Newman Trustee  
4 Concord Street  
Cranford, NJ 07016

**ATTEND THE HEARING SCHEDULED TO BE HELD BEFORE**

**Honorable:** VINCENT F. PAPALIA  
**Date:** NOVEMBER 16, 2017  
**Time:** 11:00AM  
**Place:** United States Bankruptcy Court  
King Federal Building  
50 Walnut Street - Third Floor  
Newark, NJ

Pursuant to D.N.J LBR 9013-1(d) et seq., if you wish to contest the within motion, you must file with the Office of the Clerk of the United States Bankruptcy Court, responding papers stating with particularity the basis of your opposition to the within motion. A copy of the proposed Order which is sought is enclosed with this Motion.

If you or your attorney do not take steps, the Court may decide that you do not oppose the relief sought in this motion or objection and may enter an Order granting that relief.

State of Non-Necessity of Brief: The movant certifies pursuant to D.N.J. LBR 9013-2 that the within motion involves commonly questions of law and fact and does not involve complex or novel issues such as to require the submission of a legal brief.

Dated: October 30, 2017 /s/ Jill Cadre

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Jill Cadre, Esq.  
Attorney for Debtor

**CERTIFICATION OF SERVICE**

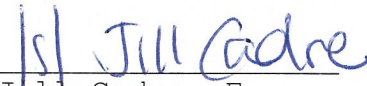
The undersigned hereby represents and certifies that she is employed by The Cadre Law firm attorneys for the movant herein and that on the date set forth below deposited in a regularly maintained United States Postal Service depository, with appropriate first class postage affixed, copies of the within Notice of Motion and all attendant documents for service on:

Joseph J. Newman Trustee  
4 Concord Street  
Cranford, NJ 07016

LUIS A. ECHEVARRIA, JR. AND  
ELSIE JIMENEZ ECHEVARRIA  
7015 Polk Street Apt 9  
Guttenberg, NJ 07093

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: October 30, 2017

  
Jill Cadre, Esq.

The Cadre Law Firm  
400 Sylvan Avenue  
Englewood Cliffs, NJ 07632  
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Jill Cadre, Esq. #JC-4127  
LUIS A. ECHEVARRIA, JR. AND  
ELSIE JIMENEZ ECHEVARRIA

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In Re:

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

LUIS A. ECHEVARRIA, JR. AND  
ELSIE JIMENEZ ECHEVARRIA

CASE NO.: 13-26917-VFP

Debtors.

CHAPTER 13

**ATTORNEY CERTIFICATION IN SUPPORT  
OF MOTION TO REOPEN AND REINSTATE  
THE DEBTORS' CHAPTER 13 PROCEEDING  
AND REINSTATE THE AUTOMATIC STAY**

-----X

HEARING DATE: NOVEMBER 16, 2017  
Time: 11:00AM

JILL CADRE, hereby certifies that:

1. I am the attorney for the Debtors, LUIS ECHEVARRIA  
AND ELSIE JIMENEZ ECHEVARRIA in this Chapter 13  
Proceeding which was converted in or around 2013.
2. The Debtors entered into contract for the purchase  
of real estate located in North Bergen, New Jersey.

3. As a result, they asked me to file a Motion to Approve the Purchase and file a Modified Plan with Amended Schedules I & J.
4. Unfortunately, because Bankruptcy Court approval was essential to this transaction, the seller decided not to wait for the approval and terminated the real estate contract.
5. Consequently, the Debtors requested that I withdraw the Motion, Schedules and Modified Plan.
6. On September 25, 2017, I withdrew the motion to approve the purchase of real estate (number 61 on the docket report); the Modified Plan (number 54 on the docket report) and the Amended Schedules I & J (number 56 on the docket report).
7. As a result, all parties were under the impression that the Confirmation hearing would be withdrawn as well and should not have taken place.
8. The Confirmation hearing took place and dismissed the case on or about October 24, 2017.
9. The case should not have been dismissed.
10. I make this certification in Support of the Debtors' Application to Reopen and Reinstate the Chapter 13 case and reinstate the automatic stay.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false I am subject to punishment for false swearing.

/s/ Jill Cadre

Dated: October 30, 2017

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Jill Cadre, Esq.

Attorney for Debtor

The Cadre Law Firm  
400 Sylvan Avenue  
Englewood Cliffs, NJ 07632  
201.894.1300  
201.894.1304 FAX

Jill Cadre, Esq. #JC-4127  
Attorney for Debtors,  
LUIS A. ECHEVARRIA, JR. AND  
ELSIE JIMENEZ ECHEVARRIA

-----X

In Re:

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

LUIS A. ECHEVARRIA, JR. AND  
ELSIE JIMENEZ ECHEVARRIA

CASE NO.: 13-26917-VFP

Debtors.

CHAPTER 13

**DEBTORS' CERTIFICATION IN SUPPORT  
OF MOTION TO REOPEN, REINSTATE  
DEBTOR'S CHAPTER 7 PROCEEDING,  
REINSTATE THE AUTOMATIC STAY AND  
CONVERT TO A CHAPTER 13 PROCEEDING**

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HEARING DATE: NOVEMBER 16, 2017  
Time: 11:00AM

LUIS A. ECHEVARRIA, JR. AND ELSIE JIMENEZ ECHEVARRIA hereby  
certify that:

1. We are the Debtors in this Chapter 13 Proceeding  
which was converted in or on 2013.
2. The Debtors recently saw an opportunity to purchase  
real estate for their primary use that was within  
their budget.



3. As a result, a Motion to Approve the Purchase of real estate, amended schedules I & J and a modified Plan were all filed on or about September, 2017.
4. These filings were reflected on the docket report as numbers 54, 56 and 61.
5. The filings were subsequently withdrawn on September 25, 2017 as the contract to purchase real estate was terminated by the seller and the purchaser are no longer purchasing real estate.
6. Since the motion to approve the purchase along with the amended Schedules and Plan were withdrawn, the Confirmation hearing should have also been withdrawn and the case should not have been dismissed.
7. We now make this certification in Support of our Application to Reopen, Reinstate the Chapter 13 case and reinstate the automatic stay.
8. We respectfully request that Your Honor grant the relief we are seeking.

We certify that the foregoing statements made by us are true. We are aware that if any of the foregoing statements made by me are willfully false we are subject to punishment for false swearing.

/s/ LUIS ECHEVARRIA

Dated: October 30, 2017

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LUIS ECHEVARRIA, DEBTOR

Dated: October 30, 2017

/s/ ELSIE JIMENEZ ECHEVARRIA

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ELSIE JIMENEZ ECHEVARRIA  
JOINT DEBTOR

The Cadre Law Firm  
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Jill Cadre, Esq. #JC-4127  
Attorney for Debtors,  
LUIS A. ECHEVARRIA, JR. AND  
ELSIE JIMENEZ ECHEVARRIA

-----X

In Re:

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

LUIS A. ECHEVARRIA, JR.  
AND ELSIE JIMENEZ  
ECHEVARRIA

CASE NO.: 13-26917-VFP

Debtor.

CHAPTER 13

**HEARING DATE: NOVEMBER 16, 2017**

-----X

**ORDER REOPENING AND REINSTATING THE CHAPTER 13 PROCEEDING  
AND REINSTATING THE AUTOMATIC STAY**

The relief set forth on the following pages numbered two  
(2) through three (3) is hereby **ORDERED**.

**Page: 2**

**Debtor:** LUIS A. ECHEVARRIA, JR. AND ELSIE JIMENEZ  
ECHEVARRIA

**Case No.:** 13-26917-VFP - Chapter 13

**Caption: ORDER REOPENING AND REINSTATING THE CHAPTER 13  
PROCEEDING AND AUTOMATIC STAY**

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Upon consideration of the application of Jill Cadre, Esq., attorney for the Debtors, LUIS A. ECHEVARRIA, JR. AND ELSIE JIMENEZ ECHEVARRIA, and this Court having considered the argument of counsel and for good cause shown, and there being no opposition;

**IT IS HEREBY,**

**ORDERED,** as follows:

1. The Debtors Chapter 13 case is hereby reopened and reinstated and,
2. That the automatic stay is hereby reimposed and;
3. That a copy of this Order shall be sent to all creditors:

**By:**

\_\_\_\_\_ **Fax** \_\_\_\_\_ **overnight mail** \_\_\_\_\_ **e-mail**

\_\_\_\_\_ **hand delivery** \_\_\_\_\_ **regular mail**

And within

\_\_\_\_\_ day(s) of the date hereof, or

\_\_\_\_\_ on the same date as the order.

4. Any objections to said motion/application:

\_\_\_\_\_ shall be filed and served so as to be received no later than \_\_\_\_\_

\_\_\_\_\_ may be presented at the hearing.

5. \_\_\_\_\_ Court appearance will be required to prosecute said motion/application and any objections.

\_\_\_\_\_ Any objector may appear by telephone at the hearing.

\_\_\_\_\_ The hearing will be held by telephone conference call, to be arranged by the applicant.

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Honorable Vincent F. Papalia